

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Walter Callen et al. Art Unit : 1645  
 Serial No. : 10/081,739 Examiner : Unknown  
 Filed : February 21, 2002  
 Title : ENZYME HAVING ALPHA AMYLASE ACTIVITY AND METHODS OF USE THEREOF

**BOX SEQUENCE**

U.S. Patent and Trademark Office  
 P.O. Box 2327  
 Arlington, VA 22202

RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS  
FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE AND/OR AMINO ACID SEQUENCES

In response to the communication dated November 8, 2002 (copy enclosed), applicants submit herewith a Sequence Listing in computer-readable form as required by 37 CFR §1.824. In addition, applicants submit an initial Sequence Listing as required under 37 CFR §1.823(a) and a statement under 37 CFR §1.821(f).

Applicants respectfully request entry of the paper copy and computer-readable copy of the Sequence Listing filed herewith for the instant application. Furthermore, applicants request entry of the following amendments.

In the specification:

Insert the paper copy of the Sequence Listing filed herewith following the Oath/Declaration.

## CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202.

Date of Deposit

*1/14/03*

Signature

*Jeanne Amore Rice*

Typed or Printed Name of Person Signing Certificate

Applicant: Walter Callen et al.  
Serial No.: 10,081,739  
Filed: February 21, 2002  
Page: 2

Attorney's Docket No.: 09010-107001

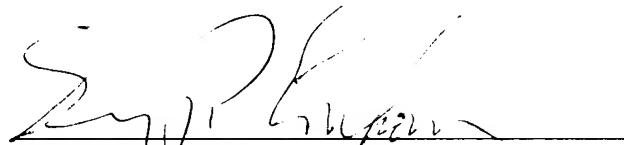
**REMARKS**

Applicants hereby submit that the enclosures fulfill the requirements under 37 C.F.R. §1.821-1.825. The amendments in the specification merely insert the paper copy of the Sequence Listing in the specification. No new matter has been added.

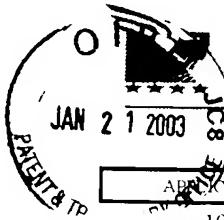
Please apply any charges or credits to Deposit Account No. 06-1050, referencing attorney docket number 09010-107001.

Respectfully submitted,

Date: 4/16/02

  
\_\_\_\_\_  
Gregory P. Einhorn  
Reg. No. 38,440

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UNITED STATES  
PATENT AND  
TRADEMARK OFFICE

Commissioner for Patents  
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APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/081,739	02/21/2002	Walter Callen	DIVER1530-6

20985  
FISH & RICHARDSON, PC  
4350 LA JOLLA VILLAGE DRIVE  
SUITE 500  
SAN DIEGO, CA 92122

**CONFIRMATION NO. 1077**  
**FORMALITIES LETTER**



\*OC000000009082963\*

Date Mailed: 11/08/2002

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE  
DISCLOSURES**

*Filing Date Granted*

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

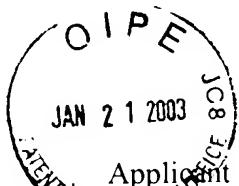
- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

*A copy of this notice MUST be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



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VERIFIED STATEMENT UNDER 37 CFR §1.821(f)

I, Jennifer H. Payne, declare that I personally prepared the paper and the computer-readable copy of the Sequence Listing filed herewith for the above-identified application and that the content of both is the same.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of The United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: January 14, 2003

Jennifer H. Payne

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10244318.doc

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